IEPA Log No.: **C-0090-16**
CoE appl. #: **LRC-2016-223**

Public Notice Beginning Date: **December 9, 2016**
Public Notice Ending Date: **January 9, 2017**

Section 401 of the Federal Water Pollution Control Act
Amendments of 1972

Section 401 Water Quality Certification to Discharge into Waters of the State

Public Notice/Fact Sheet Issued By:

Illinois Environmental Protection Agency
Bureau of Water
Permit Section
1021 North Grand Avenue East
Post Office Box 19276
Springfield, Illinois 62794-9276
217/782-3362

Name and Address of Discharger: Robert and Monica Breslow – 240 W. Laura Drive, Addison, IL 60101

Discharge Location: Near Evanston in SW 1/4 of Section 20 of Township 41N, Range 13E of the 3rd P.M. in Cook County.

Name of Receiving Water: Lake Michigan

Project Description: Proposed improvement of existing shore quarrystone revetment with installation of steel seawall landside of revetment.

The Illinois Environmental Protection Agency (IEPA) has received an application for a Section 401 water quality certification to discharge into the waters of the state associated with a Section 404 permit application received by the U.S. Army Corps of Engineers. The Public Notice period will begin and end on the dates indicated in the heading of this Public Notice. The last day comments will be received will be on the Public Notice period ending date unless a commenter demonstrating the need for additional time requests an extension to this comment period and the request is granted by the IEPA. Interested persons are invited to submit written comments on the project to the IEPA at the above address. Commenters shall provide their names and addresses along with comments on the certification application. Commenters may include a request for public hearing. The certification and notice number(s) must appear on each comment page.

The attached Fact Sheet provides a description of the project and the antidegradation assessment.

The application, Public Notice/Fact Sheet, comments received, and other documents are available for inspection and may be copied at the IEPA at the address shown above between 9:30 a.m. and 3:30 p.m. Monday through Friday when scheduled by the interested person.

If written comments or requests indicate a significant degree of public interest in the certification application, the IEPA may, at its discretion, hold a public hearing. Public notice will be given 30 days before any public hearing. If a Section 401 water quality certification is issued, response to relevant comments will be provided at the time of the certification. For further information, please call Darren Gove at 217/782-3362.

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Fact Sheet for Antidegradation Assessment
For Robert and Monica Breslow
IEPA Log No. C-0090-16
COE Log No. LRC-2016-223
Contact: Brian Koch 217/558-2012
Public Notice Start Date: December 9, 2016

The Applicant (Mr. and Mrs. Robert Breslow) has applied for 401 water quality certification for impacts associated with construction of a new steel seawall and the renovation of an existing revetment within Lake Michigan. The 72 linear foot steel seawall would be installed 3 feet west of the existing revetment at a crest elevation of 587.5'. The existing revetment would be renovated and expanded lakeward, with a crest elevation of 588' with a crest width of 6', and a total width of 24' on the north end and 28' on the south end. The revetment would include stairs to allow access from the land to the water. Construction of the revetment, which would require 245 cubic yards of quarrystone, would result in 0.04 acres of fill below the ordinary high water mark.

Identification and Characterization of the Affected Water Body.

Lake Michigan has 0 cfs of flow during critical 7Q10 low-flow conditions. Lake Michigan is classified as a Lake Michigan Basin Use Water. Lake Michigan is not listed as a biologically significant stream in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, nor is it given an integrity rating in that document. Lake Michigan, Waterbody Segment, QLM-01, is listed on the 2016 Illinois Integrated Water Quality Report and Section 303(d) List as impaired for fish consumption use with potential causes given as mercury and polychlorinated biphenyls and aesthetic quality use with potential cause given as phosphorus. Aquatic life, public and food processing water supply, primary recreational contact, and secondary contact uses are fully supported.

Identification of Proposed Pollutant Load Increases or Potential Impacts on Uses.

The construction activities would cause a temporary increase in suspended solids and habitat would be disturbed in the vicinity of the construction area. However, the project would provide shoreline stabilization and seawall protection by minimizing wave scouring and erosion, thus a reduction in suspended solids loadings into the lake may occur over time. Installation of the breakwaters would remove the aquatic life uses of the existing benthic habitat, but the quarry stone would provide new diverse habitat for aquatic life.

Fate and Effect of Parameters Proposed for Increased Loading.

The increase in suspended solids would be local and temporary. The aquatic life uses disturbed by fill activities are anticipated to recover to pre-disturbance conditions over time.

Purpose and Social & Economic Benefits of the Proposed Activity.

The property presently has a steel seawall and revetment that is deflated and has little to no beach lakeward, thus the seawall is vulnerable to constant wave action. The enhanced quarrystone revetment would be constructed to dissipate breakwater wave energy and prevent

scouring of the seawall. Additionally, the revetment would provide pedestrian access from the lake or beach to the property.

Assessments of Alternatives for Less Increase in Loading or Minimal Environmental Degradation.

Several alternatives were considered before selecting the preferred alternative for shoreline protection. The Applicant considered utilizing only a seawall for shoreline protection which would have minimized the amount of fill impacts, but this alternative was rejected due to the lakebed downcutting that would have occurred and the resulting future need for stone toe protection. Excavation of the existing shoreline so that the revetment could be pulled landward was not possible due to local zoning restrictions. A nearshore breakwater and a shore connected breakwater was explored but ruled out due to cost as well as the lack of sand and the problematic wave nature of this area due to the 660 foot long municipal groin adjacent to the south.

Construction of the proposed project would follow guidelines set forth by the Agency and USACE, which would minimize impacts to Lake Michigan to the greatest extent possible. Large, clean quarry stone would be used for construction which would minimize the amount of solids temporarily suspended in the water column. The least intrusive alternative would be to not complete the project, but this not an acceptable alternative given that this is a useful project that would improve shoreline stabilization and would allow for lake access.

Summary Comments of the Illinois Department of Natural Resources, Regional Planning Commissions, Zoning Boards or Other Entities.

The IDNR EcoCAT system determined that protected resources may be in the vicinity of the project location. The department evaluated this information and concluded that adverse effects are unlikely. Consultation was terminated in the May 16, 2016 letter from IDNR.

Agency Conclusion.

This preliminary assessment was conducted pursuant to the Illinois Pollution Control Board regulation for Antidegradation found at 35 Ill. Adm. Code 302.105 (antidegradation standard) and was based on the information available to the Agency at the time the assessment was written. We tentatively find that the proposed activity would result in the attainment of water quality standards; that all existing uses of Lake Michigan would be maintained; that all technically and economically reasonable measures to avoid or minimize the extent of the proposed increase in pollutant loading have been incorporated into the proposed activity; and that this activity would be beneficial due to the stabilization of shoreline along Lake Michigan. Comments received during the 401 Water Quality Certification public notice period will be evaluated before a final decision is made by the Agency.